



# San Diego City Attorney **MICHAEL J. AGUIRRE**

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## **NEWS RELEASE**

**FOR IMMEDIATE RELEASE: January 3, 2007**

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### **DE LA FUENTE STRIKES OUT WITH CALIFORNIA SUPREME COURT; CITY NOT ON HOOK FOR \$150 MILLION PAY OUT**

**San Diego, CA:** In a major victory for San Diego taxpayers, the California Supreme Court today declined to review a lower court's ruling overturning developer Roque de la Fuente's \$94.5 million verdict against the City of San Diego. With the inclusion of court costs, interest, and fees, the original judgment had grown to \$150 million.

"This a great victory for the City and taxpayers of San Diego," said City Attorney Michael Aguirre. "No longer will the specter of this harsh financial judgment be hanging over the City's head."

With today's Supreme Court action, the majority of the multi-million dollar jury verdict of 2001 against the City has been eliminated. De la Fuente had sued the City for allegedly breaching development agreements with his Otay Mesa Border Business Park and for taking property without compensation:

Airport Planning Claim -\$25.5 million  
Truck Traffic Claim - \$39.8 million  
Developer Agreement Claim – \$29.2 million

A new trial will be held on the alleged breach of developer agreement claim (\$29.2 million) against the City, which the City Attorney's Office will also vigorously defend.

Under the leadership of the City Attorney the case was appealed by the City's outside counsel Horvitz & Levy, and Latham & Watkins.

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